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11-23-2009

# LIMITS ON LEGISLATORS' TERMS IN OFFICE. INITIATIVE CONSTITUTIONAL AMENDMENT

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LIMITS ON LEGISLATORS' TERMS IN OFFICE. INITIATIVE CONSTITUTIONAL AMENDMENT California Initiative 1394 (2009).

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# State of California



## SECRETARY OF STATE

July 28, 2010

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS (CCROV 10251)

Pursuant to Section 9033 of the Elections Code, I hereby certify that on July 28, 2010, the certificates received from the County Clerks or Registrars of Voters by the Secretary of State established that the **LIMITS ON LEGISLATORS' TERMS IN OFFICE. INITIATIVE CONSTITUTIONAL AMENDMENT. (#1394)**, has been signed by the requisite number of qualified electors needed to declare the petition sufficient. **LIMITS ON LEGISLATORS' TERMS IN OFFICE. INITIATIVE CONSTITUTIONAL AMENDMENT. (#1394)** is, therefore, qualified for the next statewide election.

**LIMITS ON LEGISLATORS' TERMS IN OFFICE. INITIATIVE CONSTITUTIONAL AMENDMENT.** Reduces the total amount of time a person may serve in the state legislature from 14 years to 12 years. Allows a person to serve a total of 12 years either in the Assembly, the Senate, or a combination of both. Applies only to legislators first elected after the measure is passed. Provides that legislators elected before the measure is passed continue to be subject to existing term limits. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: No direct fiscal effect on state or local governments. (09-0048)

IN WITNESS WHEREOF, I hereunto set my hand  
and affix the Great Seal of the State of California  
this 28th day of July, 2010.



DEBRA BOWEN  
Secretary of State

\*FULL CHECK\* 1394. Limits on Legislators' Terms In Office. Initiative Constitutional Amendment.

COUNTY	PETITION FILED W/COUNTY	SOS REC'D RAW	SOS REC'D FULL CHECK		RAW COUNT	FULL CHECK	VALID SIGS.	INVALID	DUP.	VALID	%
1. ALAMEDA	04/22/10	05/13/10	07/23/10		48,454	48,454	33,879	14,575	2,917	33,879	69.9%
2. ALPINE	04/22/10	04/28/10	04/28/10	Full Check	3	3	1	2	0	1	33.3%
3. AMADOR	04/22/10	04/27/10	06/30/10	Notice:	1,350	1,350	1,109	241	31	1,109	82.1%
4. BUTTE	04/19/10	04/28/10	07/16/10	06/16/10	8,596	8,596	6,588	2,008	282	6,588	76.6%
5. CALAVERAS	04/22/10	04/30/10			2,102					0	0.0%
6. COLUSA	04/22/10	04/23/10	06/14/10	Full Check	276	276	219	57	3	219	79.3%
7. CONTRA COSTA	04/22/10	05/08/10	07/16/10	Due:	37,857	37,857	27,589	10,268	1,907	27,589	72.9%
8. DEL NORTE	04/22/10	04/28/10		07/28/10	963					0	0.0%
9. EL DORADO	04/22/10	04/28/10	07/01/10		5,430	5,430	4,426	1,004	165	4,426	81.5%
10. FRESNO	04/22/10	04/30/10	07/19/10		21,283	21,283	18,013	3,270	981	18,013	84.6%
11. GLENN	04/22/10	04/26/10	06/14/10		491	491	403	81	7	403	82.1%
12. HUMBOLDT	04/22/10	04/26/10	07/09/10		4,485	4,485	3,496	989	63	3,496	77.9%
13. IMPERIAL	04/22/10	04/27/10	06/28/10		1,104	1,104	633	471	8	633	57.3%
14. INYO	04/22/10	06/16/10	06/16/10		102	102	95	7	0	95	93.1%
15. KERN	04/22/10	05/03/10	07/07/10		12,011	12,011	9,218	2,793	335	9,218	76.7%
16. KINGS	04/22/10	04/26/10	07/06/10		3,520	3,520	2,684	936	74	2,584	73.4%
17. LAKE	04/22/10	04/23/10	07/01/10		2,617	2,617	1,903	714	68	1,903	72.7%
18. LASSEN	04/22/10	04/26/10	07/12/10		1,841	1,841	1,446	395	8	1,446	78.5%
19. LOS ANGELES	04/22/10	05/04/10	07/28/10		237,347	237,347	187,847	69,500	13,159	167,847	70.7%
20. MADERA	04/22/10	04/30/10	07/12/10		3,867	3,867	3,038	829	75	3,038	78.6%
21. MARIN	04/22/10	04/28/10	07/23/10		3,997	3,997	3,297	700	118	3,297	82.5%
22. MARIPOSA	04/22/10	04/28/10	05/14/10		199	199	157	42	2	157	78.9%
23. MENDOCINO	04/22/10	04/28/10	07/14/10		3,016	3,016	2,670	346	39	2,670	88.5%
24. MERCED	04/22/10	04/26/10	07/28/10		5,247	5,247	3,769	1,478	152	3,769	71.8%
25. MODOC	04/22/10	04/26/10	04/26/10		53	53	37	16	0	37	69.8%
26. MONO	04/22/10	04/29/10	04/29/10		30	30	24	6	0	24	80.0%
27. MONTEREY	04/22/10	04/28/10	07/09/10		6,697	6,697	5,274	1,423	127	5,274	78.8%
28. NAPA	04/22/10	04/28/10	07/01/10		4,797	4,797	3,582	1,215	216	3,582	74.7%
29. NEVADA	04/22/10	04/23/10	07/23/10		4,146	4,146	3,318	828	173	3,318	80.0%
30. ORANGE	04/22/10	05/05/10	07/28/10		83,723	83,723	65,878	17,845	3,364	65,878	78.7%
31. PLACER	04/22/10	04/26/10	06/28/10		9,530	9,530	7,635	1,895	322	7,635	80.1%
32. PLUMAS	04/22/10	05/04/10	05/05/10		988	988	777	211	5	777	78.6%
33. RIVERSIDE	04/22/10	05/03/10	07/28/10		53,978	53,978	40,259	13,719	1,788	40,259	74.6%
34. SACRAMENTO	04/22/10	04/28/10	07/27/10		47,193	47,193	33,987	13,206	2,671	33,987	72.0%
35. SAN BENITO	04/22/10	05/08/10	07/28/10		1,908	1,908	1,296	612	59	1,296	67.9%
36. SAN BERNARDINO	04/22/10	05/04/10	07/19/10		63,640	63,640	47,086	16,554	2,677	47,086	74.0%
37. SAN DIEGO	04/22/10	04/29/10	07/28/10		83,622	83,622	67,003	16,619	4,189	67,003	80.1%
38. SAN FRANCISCO	04/22/10	04/30/10	06/30/10		12,485	12,485	8,528	3,957	624	8,528	68.3%
39. SAN JOAQUIN	04/22/10	04/28/10	07/15/10		14,801	14,801	10,936	3,865	440	10,936	73.9%
40. SAN LUIS OBISPO	04/22/10	04/26/10	07/28/10		10,571	10,571	8,102	2,469	519	8,102	76.6%
41. SAN MATEO	04/22/10	04/28/10	07/27/10		10,536	10,536	7,909	2,627	271	7,909	75.1%
42. SANTA BARBARA	04/22/10	04/28/10	07/27/10		7,218	7,218	4,881	2,337	99	4,881	67.6%
43. SANTA CLARA	04/22/10	05/04/10	07/21/10		49,966	49,966	36,452	13,514	1,989	36,452	73.0%
44. SANTA CRUZ	04/22/10	04/30/10	07/27/10		7,817	7,817	5,455	2,362	285	5,455	69.8%
45. SHASTA	04/22/10	05/03/10	07/16/10		6,856	6,856	5,317	1,539	210	5,317	77.6%
46. SIERRA	04/20/10	05/27/10	05/27/10		120	120	111	9	0	111	92.5%
47. SISKIYOU	04/22/10	04/22/10	06/24/10		904	904	667	237	26	667	73.8%
48. SOLANO	04/22/10	04/26/10	07/01/10		17,232	17,232	11,504	5,728	983	11,504	66.8%
49. SONOMA	04/22/10	04/26/10	07/19/10		16,161	16,161	12,160	4,001	678	12,160	75.2%
50. STANISLAUS	04/22/10	04/26/10	07/23/10		17,373	17,373	13,426	3,947	779	13,426	77.3%
51. SUTTER	04/22/10	04/23/10	07/08/10		2,638	2,638	2,147	491	67	2,147	81.4%
52. TEHAMA	04/22/10	04/30/10	06/29/10		2,733	2,733	2,280	453	40	2,280	83.4%
53. TRINITY	04/19/10	05/19/10	06/16/10		145	145	113	32	0	113	77.9%
54. TULARE	04/27/10	05/06/10	07/14/10		7,874	7,874	5,976	1,898	174	5,976	75.9%
55. TUOLUMNE	04/22/10	04/22/10	06/25/10	RANGE:	2,239	2,239	1,821	418	68	1,821	81.3%
56. VENTURA	04/22/10	05/04/10	07/20/10		21,020	21,020	16,483	4,537	842	16,483	78.4%
57. YOLO	04/22/10	04/22/10	07/08/10	100% = 694,354	3,199	3,199	2,331	868	104	2,331	72.9%
58. YUBA	04/22/10	04/22/10	06/24/10		1,370	1,370	1,086	284	24	1,086	79.3%
TOTAL:					979,721	976,656	726,221	250,428	44,167	726,221	74.36%



**DEBRA BOWEN | SECRETARY OF STATE**  
**STATE OF CALIFORNIA | ELECTIONS**

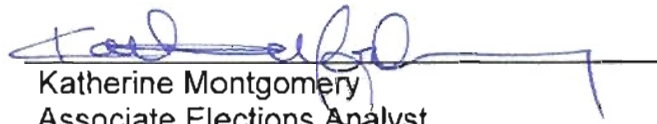
1500 11th Street, 5th Floor | Sacramento, CA 95814 | Tel (916) 657-2166 | Fax (916) 653-3214 | [www.sos.ca.gov](http://www.sos.ca.gov)

November 24, 2009

County Clerk/Registrar of Voters (CC/ROV) Memorandum #09187

TO: All County Clerks/Registrars of Voters and Proponent

FROM:

  
Katherine Montgomery  
Associate Elections Analyst

RE: Initiative: 1394, Related to Term Limits

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**LIMITS ON LEGISLATORS' TERMS IN OFFICE.**  
**INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Lance H. Olson  
Olson, Hagel & Fishburn, LLP  
555 Capitol Mall, Suite 1425  
Sacramento, CA 95814

(916) 442-2952

#1394

**LIMITS ON LEGISLATORS' TERMS IN OFFICE.  
INITIATIVE CONSTITUTIONAL AMENDMENT.**

**CIRCULATING AND FILING SCHEDULE**

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1. Minimum number of signatures required: .....694,354  
California Constitution, Article II, Section 8(b)
2. Official Summary Date: ..... Monday, 11/23/09
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (Elec. Code § 336) ..... Monday, 11/23/09
  - b. Last day Proponent can circulate and file with the county.  
All sections are to be filed at the same time within each  
county. (Elec. Codes §§ 336, 9030(a)) ..... Thursday, 04/22/10
  - c. Last day for county to determine total number of  
signatures affixed to petitions and to transmit total  
to the Secretary of State (Elec. Code § 9030(b)) ..... Tuesday, 05/04/10  
  
(If the Proponent files the petition with the county on a date prior to  
04/22/10, the county has eight working days from the filing of the petition  
to determine the total number of signatures affixed to the petition and to  
transmit the total to the Secretary of State) (Elec. Code § 9030(b)).
  - d. Secretary of State determines whether the total number  
of signatures filed with all county clerks/registrars of  
voters meets the minimum number of required signatures  
and notifies the counties ..... Thursday, 05/13/10\*
  - e. Last day for county to determine total number of qualified  
voters who signed the petition, and to transmit certificate  
with a blank copy of the petition to the Secretary of State  
(Elec. Code § 9030(d)(e)) ..... Friday, 06/25/10

\* Date varies based on the date of county receipt.

**INITIATIVE #1394**  
**Circulating and Filing Schedule continued:**

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(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 05/13/10, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elec. Code § 9030(d)(e)).

- f. If the signature count is more than 763,790 or less than 659,637 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 659,637 and 763,790 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (Elec. Code §§ 9030(f)(g), 9031(a)) .....Monday, 07/05/10\*
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (Elec. Code § 9031(b)(c)). .....Monday, 08/16/10

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 07/05/10, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elec. Code § 9031(b)(c).)

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (Elec. Code §§ 9031(d), 9033).....Friday, 08/20/10\*

\*Date varies based on the date of county receipt.

## IMPORTANT POINTS

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- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 124 Cal.App.3d 825, 177 Cal.Rptr. 621; 63 Ops.Cal.Atty.Gen. 37 (1980).
- Please refer to Elections Code sections 100, 101, 104, 9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.



EDMUND G. BROWN JR.  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550  
Public: (916) 445-9555  
Telephone: (916) 445-4752  
Facsimile: (916) 324-8835  
E-Mail: Krystal.Paris@doj.ca.gov

November 23, 2009

**FILED**  
In the office of the Secretary of State  
of the State of California

NOV 24 2009

Honorable Debra Bowen  
Secretary of State of the State of California  
State of California Elections  
1500 11th Street, 5th Floor  
Sacramento, CA 95814

Debra Bowen, Secretary of State  
By   
Deputy Secretary of State

Attention: Ms. Katherine Montgomery  
Associate Elections Analyst

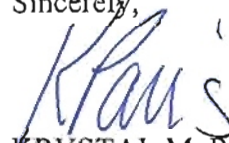
Re: Initiative 09-0048, "Legislative Term Limits Reform Act of 2010." (Amdt. #1-S.)

Dear Secretary Bowen:

Pursuant to Elections Code sections 9004 and 336, you are hereby notified that on this day we sent our title and summary for the above-referenced proposed initiative to the proponent. A copy of that title and summary and text of the proposed measure is enclosed.

Please contact me if you have any questions. Thank you.

Sincerely,

  
KRYSTAL M. PARIS  
Initiative Coordinator

For EDMUND G. BROWN JR.  
Attorney General

Proponent:  
Lance H. Olson, Esq.  
Law Offices of Olson Hagel & Fishburn LLP  
555 Capitol Mall, Suite 1425  
Sacramento, CA 95814-4602



Date: November 23, 2009  
Initiative 09-0048 (Amdt. #1-S.)

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

**LIMITS ON LEGISLATORS' TERMS IN OFFICE. INITIATIVE CONSTITUTIONAL**

**AMENDMENT.** Reduces the total amount of time a person may serve in the state legislature from 14 years to 12 years. Allows a person to serve a total of 12 years either in the Assembly, the Senate, or a combination of both. Applies only to legislators first elected after the measure is passed. Provides that legislators elected before the measure is passed continue to be subject to existing term limits. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: No direct fiscal effect on state or local governments. (09-0048)

Law Offices of

OLSON

HAGEL &

FISHBURN

LLP

October 8, 2009

09-0048

Amdt. #1 S

RECEIVED

OCT 08 2009

Office of the Attorney General  
Ms. Krystal Paris, Initiative Coordinator  
1300 I Street  
Sacramento, CA 95814

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

**RE: Request to Prepare Title and Summary**

Dear Ms. Paris:

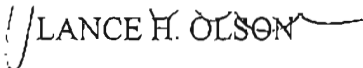
Please find attached the complete text of an amended version of Proposed Initiative No. 09-0048 which was submitted to your office on October 5, 2009.

Please also find enclosed the statement required under Elections Code Section 9608 and the address at which I am currently registered to vote.

Please direct any inquiries regarding this request to me.

Sincerely,

**OLSON HAGEL & FISHBURN LLP**

 LANCE H. OLSON

LHO/RRR/ljm

Lance H. Olson

Bruce J. Hagel

Diane M. Fishburn

Elizabeth L. Gade

Deborah B. Caplan

N. Eugene Hill

Richard C. Miadich

Richard R. Rios

Rebecca J. Olson

Christopher W. Waddell

555 Capitol Mall, Suite 1425 Sacramento, CA 95814-4602

Telephone: (916) 442-2952 Facsimile: (916) 442-1280 www.olsonhagel.com

**Section 1.** This measure shall be known and may be cited as the "Legislative Term Limits Reform Act of 2010."

Amdt. #1 S

**Section 2.** It is the intent of this measure to change the current term limits law for Legislators who are now permitted to serve up to 14 years in the Legislature by doing the following:

- (1) Reducing the total number of years a Legislator is permitted to serve from 14 to 12.
- (2) Permitting a Legislator to serve her or his years of service either in the Assembly, Senate, or a combination of the two.
- (3) Prohibiting any current or former Legislator from benefiting in any way from this reform.

**Section 3. Section 2 of Article IV of the California Constitution is amended to read:**

SEC. 2. (a) (1) The Senate has a membership of 40 Senators elected for 4-year terms, 20 to begin every 2 years. No Senator may serve more than 2 terms.

(2) The Assembly has a membership of 80 members elected for 2-year terms. No member of the Assembly may serve more than 3 terms.

(3) Their terms The terms of a Senator or a Member of the Assembly shall commence on the first Monday in December next following their her or his election.

(4) During her or his lifetime a person may serve no more than 12 years in the Senate, the Assembly, or both, in any combination of terms. This subdivision shall only apply to those Members of the Senate or the Assembly who are first elected to the Legislature after the effective date of this subdivision and who have not previously served in the Senate or Assembly. Members of the Senate or Assembly who were elected before the effective date of this subdivision may only serve the number of terms allowed at the time of the last election before the effective date of this subdivision.

(b) Election of members of the Assembly shall be on the first Tuesday after the first Monday in November of even-numbered years unless otherwise prescribed by the Legislature. Senators shall be elected at the same time and places as members of the Assembly.

(c) A person is ineligible to be a member of the Legislature unless the person is an elector and has been a resident of the legislative district for one year, and a citizen of the United States and a resident of California for 3 years, immediately proceeding the election, and service of the full term of office to which the person is seeking to be elected would not exceed the maximum years of service permitted by subdivision (a) of this section.

(d) When a vacancy occurs in the Legislature the Governor immediately shall call an election to fill the vacancy.

#### **Section 4. Severability**

The provisions of this measure are severable. If any provision of this measure or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

#### **Section 5. Conflicting Initiatives**

In the event that this measure and another measure or measures changing the number of terms or years a legislator may serve in office shall appear on the same statewide election ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the other measure or measures shall be void.

\* \* \* \* \*